

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GREG EGAN AND PAUL TAVOLILLA, on
behalf of themselves, individually, and on
behalf of all others similarly situated,

Plaintiff,

- against -

SAFeway CONSTRUCTION ENTERPRISES,
INC, and SCSC ENTERPRISES INC.,
and STEVE CESTARO, individually,
and RAYMOND CESTARO, individually,

Defendants.

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DEARIE, District Judge

ORDER
19-CV-2052 (RJD) (PK)

On January 14, 2022, Magistrate Judge Kuo recommended that the Motion to Dismiss the Claims of Opt-In Plaintiffs Robert Smerina, Damian Novelli, and Oscar Diaz be granted. The Court thanks Judge Kuo for her inquiry into this motion. Without objections, the Court adopts the Report & Recommendation in full. The motion of plaintiffs Smerina, Novelli, and Diaz to withdraw from this action is granted.

SO ORDERED.

Dated: Brooklyn, New York
February 7, 2022

/s/ Raymond J. Dearie
RAYMOND J. DEARIE
United States District Judge